THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.3138 of 2007

Dated:28.02.2007

Between:

Kadiyala Vijaya Babu.

…PETITIONER

and

The Revenue Divisional Officer, Visakhapatnam, and another.

…RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.3138 of 2007

ORDER:

The petitioner statedly purchased land admeasuring Acs.2.00 (hereafter called, subject land) in survey No.372/2 situated at Kapuluppada Village, Bheemunipatnam Mandal, Visakhapatnam District, from Smt. Nalla Kannamma under a registered sale deed dated 29.08.2005 for a valid consideration. He alleges that land admeasuring Acs.5.00 in the same survey number was originally assigned by second respondent, namely, the Mandal Revenue Officer(MRO), Bheemunipatnam, in favour of Nalla Papaiah, who is said to be an ex-serviceman under D-Form patta bearing D.R.No.225/C dated 20.11.1992 and after his death, his wife, Kannamma, sold subject land to the petitioner. It is also alleged that Kannamma obtained pattadar passbook (PPB) and title deed (TD) from the revenue officials. The petitioner contends that the land assigned to an ex-serviceman can be sold as per various Government orders. The petitioner made an application/representation to MRO in June, 2006 requesting PPB and TD in respect of subject land in his favour, in vain. Therefore, in this writ petition, he seeks such direction.

After getting instructions in the matter, the learned Assistant Government Pleader for Revenue (General-A) submits that as subject land was assigned initially to Papaiah, MRO addressed a letter to the

District Collector seeking necessary clarification and that the matter is pending with MRO. Therefore, instead of keeping the writ petition pending, the same is disposed of observing that MRO should immediately pass orders on the application/representation made by the petitioner seeking PPB and TD in respect of subject land. This exercise may be completed within a period of four weeks from the date of receipt of a copy of this order. No costs.

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(V.V.S.RAO, J)

28th February, 2007
Note: Issue CC by 05.03.2007
B/o
ghn